

**Draft Summary of Cultural Resources Work Group Meeting  
Oroville Facilities Relicensing (FERC Project No. 2100)  
July 24, 2001**

The Department of Water Resources (DWR) hosted the Cultural Resources Work Group meeting on July 24, 2001 in Oroville.

A summary of the discussions, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for information purposes for interested parties who could not attend the meeting.

### **Introduction**

Attendees were welcomed to the Cultural Resources Work Group meeting. The Cultural Resources Work Group Meeting agenda and a list of meeting attendees and their affiliations are appended to this summary as Attachments 1 and 2, respectively. Meeting flip chart notes are included as Attachment 3.

In response to events at the July 17, 2001 Plenary Group meeting, the Facilitator reviewed the ground rules for both the participants and the facilitator. She reminded the Cultural Resources Work Group of the need to commit to the collaborative process and to treat all other participants with respect. She added that discussions during the Plenary Group meeting had at times become contentious and several of the ground rules had been violated. She reminded the group that agencies, the community, and the applicant had something to gain from engaging in the ALP. She encouraged participants to work within the ALP to the benefit of the community and resources.

### **Action Items – June 26, 2001 Cultural Resources Work Group Meeting**

A summary of the June 26, 2001 Cultural Resources Work Group meeting is posted on the project web site. The Facilitator reviewed the status of action items from that meeting as follows:

- Action Item #C16:** Share employment information with members of tribal communities. Report response (number of individuals and specific interests) back to Dale Hoffman-Floerke.
- Status: Dale Hoffman-Floerke of DWR stated that tribal representatives had requested additional information including the target salaries for each position. Additional information was provided to tribal representatives who will distribute it to their members and report back to the Cultural Resource Work Group with their findings.
- Action Item #C17:** Develop one-half day training session/workshops to provide an overview of Cultural Resource employment opportunities to interested tribal community members.
- Status: Dale reported that this item is related to the outcome of Action Item #16. Tribal representatives feel that without a clear idea of community interest, scheduling the half-day seminars would not be beneficial. Tribal representatives suggested that training sessions be scheduled once community interest has been determined.
- Action Item #C18:** Confer with Cultural Resources Work Group participants who provided APE recommendations to determine justification for suggested changes to the existing FERC boundary/APE.
- Status: This activity is on going.
- Action Item #C19:** Revise Issue Sheets to include existing information and information needs for discussion at the next Cultural Resources Work Group meeting.
- Status: A discussion of the revised Issue Sheets is on tonight's agenda.
- Action Item #C20:** Provide scope for information needs and implementation methods relative to early studies for review by next Fluctuation Zone Studies Task Force meeting.
- Status: Janis Offerman with DWR reported that the Fluctuation Zone Studies Task Force met on July 17, 2001 at the Mooretown Rancheria. Representatives of three recognized tribes reviewed information developed by the consulting team including a

description of recommended pre-field studies and field survey techniques. The consultants recommend that the survey crew consist of at least 6 people (perhaps more depending on initial findings) and that 100% of the fluctuation zone be surveyed. The Fluctuation Zone Studies Task Force agreed that the area to be studied should be the fluctuation zone between the high water mark (900' elev.) and the projected low water mark (approx. 720' elev.). The Fluctuation Zone Studies Task Force also agreed that the survey should begin no later than the beginning of October when the reservoir is anticipated to be at its lowest level.

Adrian Praetzelis of the consulting team was tasked with developing a study plan based on the information described above. The Tribes, SHPO, DPR, DWR and other agencies will review the study plan prior to the Fluctuation Zone Studies Task Force discussing it at their August 17, 2001 meeting. The Cultural Resource Work Group asked to be included in the distribution as well.

The Cultural Resources Work Group participants discussed the timing of study plan approval through the Plenary Group and the need to expedite any process possible so that the work can occur during the low water time this year. Janis Offermann suggested that to expedite the fieldwork, the revised study plan could be finalized at the Task Force level and then distributed to SHPO and directly to the Plenary Group at their August 30 meeting. The Cultural Resource Work Group agreed to have the Fluctuation Zone Studies Task Force expedite finalizing the study plan and requested that the document be distributed to the Work Group while it is being developed.

Several participants asked how the studies would benefit the Native American community or if they were being pursued simply to satisfy intellectual curiosity. There was also some fear that the identification of cultural sites may lead to further vandalism.

Michael Delacorte responded that the first priority is to safeguard the integrity of the sites. Changing reservoir levels allow for damage and vandalism to cultural resources within the fluctuation zone and due to very low water levels this year, some sites are being exposed that typically remain underwater. Surveying previously identified sites will allow the Cultural Resource Work Group to record what has happened to these sites since reservoir construction. Identifying previously unrecorded sites will provide the Cultural Resource Work Group with new information regarding cultural resources in the fluctuation zone. All the information will allow the Cultural Resource Work Group to develop a Cultural Resources Management Plan that will allow for the preservation and protection of cultural resources after the license is granted. He stressed that there be no digging or collecting in the fluctuation zone associated with this study.

Rick Ramirez from DWR added that confidentiality of sites is a critical issue for DWR and the consulting team. The Fluctuation Zone Studies Task Force is aware of this and with DWR staff and the consultants, will develop measures that will maintain site confidentiality.

Bruce Steidl from Mooretown Rancheria added that his tribe feels a lot can be gained from gathering new information and assessing artifacts that were collected when the dam was built. He added that artifacts removed when the dam was built should be returned to Oroville for evaluation and potential display once a suitable facility is developed. He stressed that confidentiality is mandatory and the consultants and the State need to provide adequate safety measures to maintain protection of sacred sites identified by the studies. He added that DPR does not have the resources to do this and that funding assurances in this regard need to be made by the applicant.

Lorraine Frazier observed that we are early in the process and the Cultural Resource Work Group needs to take advantage of the low lake levels. When the dam was built there was an emphasis on filling the dam quickly and cultural resources studies had been rushed along or simply not done. There is time now to address the issues of the fluctuation zone and plan prudent cultural resource studies for the relicensing process.

### **Carryover Action Items**

**Action Item #C13:** Presentation regarding State Historic Preservation Office roles and responsibilities.  
**Status:** Dale Hoffman-Floerke announced SHPO personnel had changed and there is no one identified currently to participate in the relicensing process. The Cultural Resource Work Group agreed to defer the item for a future meeting when another SHPO representative could be identified.

### **Employment Opportunities Updates**

Dale Hoffman-Floerke reported that DWR and the consulting team had discussed wages and training opportunities with tribal representatives. Interest among the Native American community will be assessed utilizing the information provided by The Consulting Team. The process can continue once the level of interest has been determined.

### **Issue Sheet Development**

The facilitator reviewed the progress of Cultural Resources Issue Sheets to date. Participants received revised Issue Sheets developed by the consulting team that included comments made by the participants at the June Cultural Resource Work Group meeting. The Issue Sheets showed revisions to geographic scope and resource goals and included draft existing information and information needs supplied by the consulting team. Additionally, a paragraph was added at the beginning of the Issue Sheets to describe the regulatory framework that supports doing Cultural Resource studies. The revised Issue Sheets with Cultural Resources Work Group comments are appended to this summary as Attachment 4.

Before reviewing each revised Issue Sheet, the Facilitator reminded participants that the Issue Sheets were working tools to help the Work Group fashion study plans, and that they did not require much wordsmithing. She added that suggested revisions to Issue Statements would be handled at the Plenary Group level as part of the review of Scoping Document 1, and therefore did not need to be addressed further by the Cultural Resources Work Group.

Participants spent considerable time reviewing Cultural Resources Issue Sheet 1, providing comment on existing information and information needs and clarifying some resource goals. Recognizing the need to review the existing information in more detail than was possible during the Cultural Resources Work Group meeting time allotment, the participants agreed to review the rest of the Issue Sheets and provide DWR with suggestions for review by the Cultural Resources Work Group at their August 28 meeting.

- The Cultural Resources Work Group discussed several information resources cited in the existing information list. In one example, a participant questioned the validity of conclusions drawn in the report and suggested the report be removed from the list. Dale Hoffman-Floerke explained that it was possible to use the data in a report without utilizing the report conclusions and for that reason the report should remain on the list.
- Craig Jones of the State Water Contractors suggested that issue statements 2, 3, and 4 could be viewed as subsets of the first issue statement and were not necessary as individual issue statements. The Facilitator responded that the Issue Sheet development should help focus participants on the issues that actually require studies and the resource goals identified for

each individual issue statement should help drive the development of a study plan or reveal that no study is needed.

- Leslie Steidl from DPR expressed concern about the use of proper name identification when describing significant tribal sacred sites in publicly distributed documents such as Scoping Document 1. She feared that such identification would lead to vandalism. She suggested that the Cultural Resources Work Group refrain from using place names or any description that could lead to identifying the location of a cultural site in public documents. The Cultural Resources Work Group agreed and extended that to include discussions and descriptions of cultural resources in other Work Groups and the Plenary Group. The Cultural Resources Work Group also agreed to make a formal request to the Plenary Group that all specific site names be removed from Scoping Document 1. DWR staff offered to purge specific place names from the Relicensing Web Site, and documents contained therein. Local Tribal members and representatives were encouraged to review existing public documents and provide comment to DWR staff.

### **Homework**

The consultants and DWR will revise the Issue Sheets to reflect comments received on resource goals, existing information and information needs.

The Cultural Resources Work Group participants agreed to begin developing suggestions for potential studies based on their review of existing information and information needs. Dale Hoffman-Floerke suggested the participants initiate a small Task Force to draft a list of recommended studies. The participants determined that they were not prepared to initiate a Task Force at this time and wanted instead to concentrate on revising the existing Issue Sheets, providing comment on SD1, and preparing the study plan for fluctuation zone studies. Some participants wanted additional time to consider what specific direction a Task Force would be given.

### **Next Meeting**

The Cultural Resources Work Group agreed to meet again:

Date: August 28, 2001  
Time: 5 to 9 p.m.  
Location: To be determined

The Cultural Resource Work Group meeting adjourned at 8:45 p.m.

### **Agreements Made**

1. The Cultural Resources Work Group agreed to table the discussion of the State Historic Preservation Office to a future date.
2. The Cultural Resources Work Group agreed to pass the study plan for fluctuation zone studies directly to the Plenary Group for review and approval at their August 30 meeting.
3. The Cultural Resources Work Group agreed to meet again on August 28, 2001 from 5 to 9 p.m. (location to be determined).

### **Action Items**

The following list of action items identified by the Cultural Resources Work Group includes a description of the action, the participant responsible for the action, and due date.

**Action Item #C21:** Finalize fluctuation zone study plan and present to Plenary Group for approval at their August 30 meeting.

**Responsible:** Fluctuation Zone Studies Task Force  
**Due Date:** August 17, 2001

**Action Item #C22:** Request the Plenary Group remove any references to specific locations of cultural sites from SD1.

**Responsible:** DWR staff  
**Due Date:** August 30, 2001.

**Action Item #C23:** Revise Issue Sheets to include participants' comments on resource goals, information needs and existing information.

**Responsible:** Consulting staff  
**Due Date:** August 21, 2001

**Action Item #C24:** Remove any references to specific locations of cultural sites from relicensing Web Site, and other public documents.

**Responsible:** DWR staff  
**Due Date:** On-going